

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

UNITED STATES OF AMERICA**v.****THOMAS ROONEY**

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CASE NO. 2:24-cr-00026-wks-2

DEFENDANT'S MOTION TO SET CONDITIONS OF RELEASE

NOW COMES Defendant, Thomas Rooney, by and through his attorney, Mark D. Oettinger, and respectfully requests that conditions of release be set to allow Mr. Rooney to reside in sober housing for the remainder of the pendency of his case. The sober housing which is being offered to Mr. Rooney is a program of the Veterans Administration (VA), and its details are more fully described in Holly Miller's letter which is attached hereto as Exhibit A.

Mr. Rooney is an Army National Guard veteran. He has been approved for sober living through the VA, and has been offered a bed at Veterans, Inc., in Bradford, Vermont. Veterans, Inc. is a non-profit organization funded through the VA's Grant and Per Diem Program (GPD Program), which funds transitional housing for Veterans for up to 2 years. While a member of the program, Mr. Rooney will have a bed available at the VA's location in Bradford, where he will be required to maintain a sober lifestyle, and to participate in the maintenance and upkeep of the home in which he is staying. While he is housed in Bradford, Veterans, Inc. will work with Mr. Rooney to help him find appropriate employment through the VA's Homeless Veterans' Reintegration Program.

Mr. Rooney has struggled with addiction. He acknowledges the power and control that drug use has had over his life, and specifically, the role that it played in the conduct with which he is charged. Mr. Rooney has been incarcerated for just over a year. While incarcerated, he has devoted himself to self-reflection, therapy, educational courses, occupational training and more. Some of his completion certificates are attached as Exhibit B. We respectfully submit that Mr. Rooney's behavior while incarcerated demonstrates a sincere desire for self-improvement, and the ability to reach the goals that he is setting for himself.

Given the length of time that Mr. Rooney has been incarcerated, he is not in need of residential treatment as a precursor to sober living. For the past year, he has been free from any illegal drugs. Additionally, he has undergone Medically Assisted Treatment (MAT) while incarcerated, and he has responded extremely well to that treatment. Mr. Rooney intends to continue this treatment through the Clara Martin Center in Bradford, for which a referral has

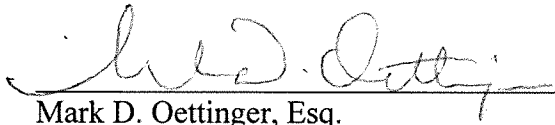
already been made by his VA case worker, Holly Miller. The Clara Martin Center will be able to provide individual and/or group therapy, and Intensive Outpatient (IOP) services, if and as such services are deemed necessary by Mr. Rooney's United States Probation Officer.

In accordance with United States District Court, District of Vermont, Local Rule 7(a)(7), defense counsel has consulted with AUSA Matthew Lasher, who indicates that the Government is not opposed to a properly-structured release plan at this point, but would defer to USPO regarding its details.

In accordance with United States District Court, District of Vermont, Local Rule 7(a)(6), defense counsel respectfully requests that the Court schedule a hearing on this motion at the soonest possible date.

For the reasons stated above, Defendant Thomas Rooney respectfully requests that the Court set conditions of release allowing him to reside at Veterans, Inc., in Bradford, Vermont, and otherwise requiring him to abide by appropriate conditions set by the Court and the United States Probation Office.

DATED at Burlington, Vermont this 21st day of February, 2025.

A handwritten signature in cursive script, appearing to read 'Mark D. Oettinger', written over a horizontal line.

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